

In the United States Court of Federal Claims

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|--------------------------------|---|----------------------|
| PRECISION PINE & TIMBER, INC., |) | |
| |) | |
| |) | No. 98-720 C |
| |) | |
| <u>Plaintiff,</u> |) | |
| v. |) | Filed April 29, 2005 |
| |) | |
| THE UNITED STATES, |) | |
| |) | |
| <u>Defendant.</u> |) | |
| |) | |

ORDER

On April 18, 2005, plaintiff filed a Motion *in Limine* With Respect to Defendant's Contentions of Law That Are Barred by the Law of The Case Doctrine, document 321. Defendant filed an opposition to plaintiff's motion on April 28, 2005, document 328. In the interest of justice, each party shall be permitted to fully set forth its legal and factual arguments in both its pre-trial and post-trial briefs. There is no need to exclude or strike defendant's arguments because plaintiff will have an adequate opportunity to respond. In its response plaintiff would be within its rights to argue that the law of the case precludes a finding in favor of the Government on certain issues. Accordingly, plaintiff's Motion *in Limine* With Respect to Defendant's Contentions of Law That Are Barred by the Law of The Case Doctrine is DENIED.

IT IS SO ORDERED.

s/ George W. Miller
GEORGE W. MILLER
Judge